

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

VOCALSPACE, LLC

Plaintiff,

v.

DANIEL D. LORENZO and
LARKSPARK CORPORATION

Defendants.

Civil Action No. 4-09-CV-00350

DECLARATION OF DANIEL DANTE LORENZO

1. My name is Daniel Dante Lorenso. I own a company called LarkSpark Corporation. I am over 18 years old and I have never been convicted of a crime. I have personal knowledge of the facts stated in this declaration and all statements contained herein are true and correct. I am a computer programmer and I have a degree in computer science from the University of Florida.

2. I understand that there is a protective order in place in this lawsuit. I understand that I am not permitted to release any confidential materials unless I am allowed under the Law.

3. I posted on my blog what is attached as "EXHIBIT B" to this motion.

4. I have no intention of releasing any source code that is part or connected to this lawsuit until such time as this lawsuit is over and I have the legal right to do so.

5. In this lawsuit defendants have counterclaims Count 1 (Declaratory Judgment); Count 2 (Injunctive Relief) and Count 7 (Conversion). All counterclaims mentioned are

based on "2007 Code" which is all intellectual property belonging to defendants pursuant to the disputed 2007 Independent Contractors Agreement. I must have access to Plaintiff's source code from January 1, 2007 forward to be able to put on my claims. The requested discovery is relevant and material to defendants' claims.

6. The amount of computer code that will be required to analyze will be substantial, and Plaintiff by refusing to produce the code and forcing the defendants to yet again seek a court hearing has delayed the code production to where it will be impossible for defendants to properly analyze the code and prepare for trial, which is only days away.

7. Defendants will be substantially prejudiced and suffer harm if they are not permitted to have the proper time to analyze before trial. The deadline to submit all trial exhibits is only 24 hours away, and yet defendants have not seen discovery integral to their claims. The defendants remaining counterclaims are all based on the 2007 and beyond Source code and the defendants cannot put on their case without having the proper time to review the many thousands of files of source code. There simply is not enough time for me to review all the materials when I finally do see it. There just is not enough time in the day.

8. Defendants have been trying to get the evidence for many months and have diligently used all discovery procedures. Defendants have brought this issue before the court several times and still the Plaintiff refuses to produce the source code that has been requested.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 8, 2010.



03/08/11

D. Dante Lorenso